

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

---

DUANE LUSE,

Plaintiff,

v.

STATE OF WISCONSIN, JUDGE O'MELIA,  
WISCONSIN STATE TROOPER STEVEN  
DETIENE, STEVEN MICHLIG,  
SAINT MARYS HOSPITAL, DANIELLE  
STROBEL, ONEIDA COUNTY SHERIFF  
DEPARTMENT, AND ONEIDA COUNTY  
SHERIFF SAGENT GARDNER,

Defendants.

ORDER

Case No. 14-cv-297-bbc

---

DUANE LUSE,

Plaintiff,

v.

ERIC WEGE, ERIC LOSEE, DAN GANNON,  
DAWN SUZA, PATRICIA BAACKE, MICKEY  
MCMCASH, ONEIDA COUNTY JAIL,  
PATRIC O'MELIA, WI DEPARTMENT OF  
CORRECTIONS,  
MS. DERUS AND MS. HANSON,

Defendants.

ORDER

Case No. 14-cv-298-bbc

---

Plaintiff Duane Luse has filed two proposed civil complaints, alleging that Defendants have violated his civil rights. Plaintiff has asked for leave to proceed without prepayment of the filing fees and has supported his request in each case with an affidavit of indigency. The standard for determining whether plaintiff qualifies for indigent status is the following:

- From plaintiff's annual gross income, the court subtracts \$3,700 for each dependent excluding the plaintiff.
- If the balance is less than \$16,000, the plaintiff may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the plaintiff must prepay half the fees and costs.
- If the balance is greater than \$32,000, the plaintiff must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, plaintiff has no dependents, is currently unemployed and living with relatives. Plaintiff indicates that he receives \$180.00 a month in food stamp benefits. Plaintiff has no substantial assets. Accordingly, I find that plaintiff may proceed without any prepayment of fees or costs.

#### ORDER

IT IS ORDERED that:

1. The motions filed by plaintiff Duane Luse for leave to proceed without prepayment of fees in cases 14-cv-297-bbc and 14-cv-298-bbc are GRANTED.
2. No further action will be taken in these cases until the court has screened the complaints pursuant to 28 U.S.C. § 1915 to determine whether either case must be dismissed because the complaint is frivolous or malicious, fails to state a claim on which relief may be

granted or seeks monetary relief against a defendant who is immune from such relief. Once the screening process is complete, a separate order will issue.

Entered this 24th day of April, 2014.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge